

**Application for Water Right  
Temporary or Drought Temporary Transfer  
Part 1 of 5 – Minimum Requirements Checklist**



**Oregon Water Resources Department**  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

**This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
For questions, please call (503) 986-0900, and ask for Transfer Section.

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**FOR ALL TEMPORARY TRANSFER APPLICATIONS**

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Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: c 40065**  
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2021 End Year: 2025.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

**Attachments:**

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

<input type="checkbox"/> Application fee not enclosed/or is insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
<input type="checkbox"/> Additional signature(s) required	

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503-986-0\_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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## Part 2 of 5 – Temporary Transfer Application Map Checklist

Your temporary transfer application will be returned if any of the map requirements listed below are not met.

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Please be sure that the temporary transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet; the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated); the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet; or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. *If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.*
- N/A Proposed temporary place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as *either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).*

13624



**Part 3 of 5 – Fee Worksheet**

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$810.00
2	Number of water rights included in transfer: <u>1</u> (2a) Subtract 1 from the number in 3a above: <u>0</u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$260.00 and enter » » » » » » » » » » » » » » » »	2	\$0.00
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$200.00, then enter on line 3	3	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » <input checked="" type="checkbox"/> Yes: enter the number of acres for the portions of the rights to be transferred: <u>50.0</u> (4a) Multiply the number of acres in 4a above by \$2.30 and enter on line 4 » »	4	\$115.00
5	Add entries on lines 1 through 4 above » » » » » » » » » » » » Subtotal:	5	\$925.00
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7» »	6	0
7	Subtract line 6 from line 5 » <b>Transfer Fee:</b>	7	<b>\$925.00</b>

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FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): _____ (2a) Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » <b>Transfer Fee:</b>	3	

\*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. Divide total authorized cfs by total acres in the water right (*for C12345, 1.25 cfs ÷ 100 ac*); then multiply by the number of acres to be transferred to get the transfer cfs ( $\times 45 ac = 0.56 cfs$ ).
2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs*)
3. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. (*In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0.*)

13624

Part 4 of 5 – Applicant Information and Signature

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Applicant Information

APPLICANT/BUSINESS NAME <b>Dave Kauer/Kauer Family Farms, Triple K Farms</b>			PHONE NO. <b>503.835.1006</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>7325 SE Amity Dayton Hwy</b>				FAX NO.
CITY <b>Amity</b>	STATE <b>Oregon</b>	ZIP <b>97309</b>	E-MAIL <b>davidk755@yahoo.com</b>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME <b>Bill Ferber/BK Water Rights Consulting, LLC</b>			PHONE NO. <b>503.910.9212</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>PO Box 13434</b>				FAX NO.
CITY <b>Salem</b>	STATE <b>Oregon</b>	ZIP <b>97309</b>	E-MAIL <b>bill@bkwrc.com</b>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application and why:  
 Temporarily transfer senior water rights place of use to lands planted with high value crop.  
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

I (we) affirm that the information contained in this application is true and accurate.

 **David Kauer - Manager/Partner** 2/1/2021  
 Applicant signature Print Name (and Title if applicable) Date

\_\_\_\_\_  
 Applicant signature Print Name (and Title if applicable) Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located?  Yes  No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

13624

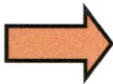


Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed and/or used.

ENTITY NAME <b>Yamhill County</b>	ADDRESS <b>525 NE 4th Street</b>	
CITY <b>McMinnville</b>	STATE <b>Oregon</b>	ZIP <b>97128</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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**Part 5 of 5 – Water Right Information**

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add rows to tables within the form.

Water Right Certificate # \_\_\_\_\_

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**Description of Water Delivery System**

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System capacity: \_\_\_\_\_ cubic feet per second (cfs) **OR**  
**At least 375** gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Diesel portable pump delivers irrigation water to above ground mainline which delivers water to a big gun irrigation system**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
P.O.D.	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		4 S	4 W	34	SE	NE	57	5040' N and 3090' W from SE Corner of Armstrong DLC 64
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

**Check all type(s) of temporary change(s) proposed below (change "CODES" are provided in parentheses):**

- Place of Use (POU)  Appropriation/Well (POA)
- Point of Diversion (POD)  Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

**Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses):**

- Place of Use (POU)  Point of Appropriation/Well (POA)
- Character of Use (USE)  Additional Point of Appropriation (APOA)
- Point of Diversion (POD)  Additional Point of Diversion (APOD)

**Will all of the proposed changes affect the entire water right?**

Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

No Complete all of Table 2 to describe the portion of the water right to be changed.

**13624**



Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Temporary Changes to Water Right Certificate # 40065**

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)												
The listing that appears on the Certificate BEFORE PROPOSED CHANGES										The listing as it would appear AFTER PROPOSED CHANGES												
List only that part or portion of the water right that will be changed.										are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
<b>EXAMPLE</b>																						
2	S	9	E	15	NW	100	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0	POD #5	1901
"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0	POD #6	1901
4	S	4	W	34	SW	700	Irrig.	P.O.D.	1964	POU	4	S	4	W	35	NW	SW	400	67	24.2	N/A	1964
4	S	4	W	34	SW	700	Irrig.	P.O.D.	1964	POU	4	S	4	W	35	NE	SW	400	67	4.2	N/A	1964
4	S	4	W	34	SE	700	Irrig.	P.O.D.	1964	POU	4	S	4	W	35	SW	SW	400	67	9.3	N/A	1964
4	S	4	W	34	SE	700	Irrig.	P.O.D.	1964	POU	4	S	4	W	35	SE	SW	400	67	12.3	N/A	1964
4	S	4	W	34	NW	700	Irrig.	P.O.D.	1964	POU												
4	S	4	W	34	NW	700	Irrig.	P.O.D.	1964	POU												
4	S	4	W	34	NE	700	Irrig.	P.O.D.	1964	POU												
4	S	4	W	34	NE	700	Irrig.	P.O.D.	1964	POU												
TOTAL ACRES										TOTAL ACRES												
50.0										50.0												

Additional remarks: Temporary Transfer

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# Application for Water Right Transfer

## Evidence of Use Affidavit



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon )  
 ) ss  
 County of YAMHILL)

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 OWRD

I, DAVID KAUER, in my capacity as TENANT FARMER,  
 mailing address 7145 SE AMITY-DAYTON HWY, AMITY, OREGON 97101  
 telephone number (503)437-4027, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):
- Personal observation                       Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # 40065; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	1/4 1/4	Gov't Lot or DLC	Acres (if applicable)

- OR**
- Confirming Certificate # \_\_\_\_\_ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # \_\_\_\_\_ (For Historic POD/POA Transfers)

(continues on reverse side)

13624



3. The water right was used for: (e.g., crops, pasture, etc.): CROPS

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

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David Kan  
Signature of Affiant

2/1/2021  
Date

**OWRD**

Signed and sworn to (or affirmed) before me this 1ST day of FEBRUARY, 2021.



M. Teresa Smith  
Notary Public for Oregon

My Commission Expires: JUNE 25, 2022

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

13624



Third Payment for Mountain View Seeds  
 11/15, 2017

Wet Name	Specie	Variety	Cert	Final Price	Lot #	Received	Total Crop \$	Nov 15th Advance	Dec 31/Jan 1 Advance	Deductions	Commissions	Net Payment	Liened	Named Lienholder
IER FAMILY FARMS LLC	PERENNIAL RYEGRASS	ACADEMY III	UNC	\$0.81	Y28-16-PR70	\$2,500	\$ 42,525.00							
IER FAMILY FARMS LLC	PERENNIAL RYEGRASS	ACADEMY III	UNC	\$0.81	Y28-16-PR71	\$2,500	\$ 42,525.00							
IER FAMILY FARMS LLC	PERENNIAL RYEGRASS	ACADEMY III	UNC	\$0.81	Y28-16-PR72	\$4,450	\$ 27,904.50							
IER FAMILY FARMS LLC	TALL FESCUE	TITANIUM LS	CERT	\$0.76	Y28-16-TF12	\$2,500	\$ 39,900.00							
IER FAMILY FARMS LLC	TALL FESCUE	TITANIUM LS	CERT	\$0.76	Y28-16-TF13	\$6,000	\$ 42,560.00							
IER FAMILY FARMS LLC	TALL FESCUE	TITANIUM LS	CERT	\$0.76	Y28-16-TF14	\$6,000	\$ 42,560.00							
IER FAMILY FARMS LLC	TALL FESCUE	TITANIUM LS	CERT	\$0.76	Y28-16-TF15	7,000	\$ 5,320.00							
<b>IER FAMILY FARMS LLC Total</b>						<b>363,450</b>	<b>\$ 285,839.50</b>		<b>\$ 190,846.33</b>		<b>\$ 744.12</b>	<b>\$ 99,529.05</b>	<b>No</b>	

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**WILCO PETROLEUM - TRANSPORT**  
**200 INDUSTRIAL WAY**  
**PO BOX 258**  
**MOUNT ANGEL OR 97362**  
**PHONE: (800) 598-6827**

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THANK YOU FOR YOUR BUSINESS

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KAUER FAMILY FARMS LLC  
 7145 SE AMITY DAYTON HWY  
 AMITY OR 97101

CUST#: 435485  
 TERMS: NET 10

INV #: 299859/M  
 DATE : 9/25/17 TIME : 1:43  
 CLERK: KAB TERM#870  
 SLSPR: R7 BULK ROUTE 7  
 TAX : 001 OREGON STATE TAX

KAUER FAMILY FARMS LLC  
 7325 SE AMITY DAYTON HWY  
 AMITY OR 97101

JOB #: 173

DEL. DATE: 9/22/17  
 BOL #12659  
 THANK YOU FOR YOUR PURCHASE!

\*\*\*\*\*  
 \* INVOICE \*  
 \*\*\*\*\*

LN#	QTY	UM	SKU	DESCRIPTION	UNITS	SUGG	PRICE/PER	EXTENSION
1	1951	GL	2003K	PREMIUM DIESEL ULS B5 FED TAX	1951		2.397/GL	4,676.55
2				15 - ppm Undyed Diesel Fuel				
3				15-ppm sulfur maximum				
4				Undyed Ultra-Low Sulfur Diesel				
5				Fuel. For use in				
6				all Diesel vehicles and				
7				engines.				
8				PRICE PER GALLON INCLUDES:				
9				FED TAX .244				
10	7951	GL	2015K	PREM DIESEL ULS DYED B5 NO TAX	7951		2.158/GL	17,158.26
11				15-ppm Dyed Diesel Fuel				
12				15 - ppm sulfur dyed ULSD				
13				Non-road or tax				
14				exempt use only.				
15				FUEL TREATED WITH SUMMER BLEND				
16				PREMIUM DIESEL ADDITIVE.				
17	-9902	GL	1051250	MEMBERSHIP ALLOWANCE	9902		.02 /GL	-198.04R
				CREDIT RETURN				

**ATTENTION:**  
 Payment due 10 days  
 from date of invoice.

*Fuel*

\*\* AMOUNT CHARGED TO STORE ACCOUNT \*\*      21,636.77 TAXABLE      0.00  
 NON-TAXABLE      21636.77  
 SUBTOTAL      21636.77

TAX AMOUNT      0.00  
 TOTAL AMOUNT      21636.77

X



GROWER SOLUTIONS

P.O. BOX 70013 • BOISE, IDAHO 83707-0113

STATEMENT

PAGE: 1

DATE: 10/28/2017

ACCOUNT #: 14116

LOCATION ID: 1057

AMOUNT PAID: \_\_\_\_\_

4874 \*\*\*\*\*AUTO\*\*ALL FOR AADC 970



KAUER FARMS  
7145 SE AMITY DAYTON HWY  
AMITY OR 97101-2004

Please Remit Payment to the Address Below



SIMPLOT GROWER SOLUTIONS  
PO BOX 97  
INDEPENDENCE OR 97351

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Please check box if above address is incorrect and indicate change(s) on reverse side.

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT

SUMMARY OF ACCOUNT ACTIVITY FOR THIS PERIOD

DATE	DUE DATE	DOCUMENT NUMBER	DESCRIPTION	CHARGES	PAYMENTS	PREPAY	BALANCE
			Beginning Balance			89,040.58-	0.00
10/11/17	11/20/17	758059637	Invoice			2,025.00	0.00
10/11/17	11/20/17	758059638	Invoice			2,250.00	0.00
10/11/17	11/20/17	758059639	Invoice			1,912.50	0.00
10/11/17	11/20/17	758059640	Invoice			2,025.00	0.00
10/11/17	11/20/17	758059641	Invoice			4,498.80	0.00
10/11/17	11/20/17	758059642	Invoice			5,333.70	0.00
10/11/17	11/20/17	758059643	Invoice			4,559.18	0.00
10/11/17	11/20/17	758059644	Invoice			5,112.90	0.00
10/11/17	11/20/17	758059645	Invoice			5,592.45	0.00
10/11/17	11/20/17	758059646	Invoice			4,490.18	0.00
10/11/17	11/20/17	758059647	Invoice			5,237.10	0.00
10/11/17	11/20/17	758059648	Invoice			4,522.95	0.00
10/11/17	11/20/17	758059649	Invoice			4,881.76	0.00
10/11/17	11/20/17	758059650	Invoice			5,226.76	0.00
10/11/17	11/20/17	758059651	Invoice			4,900.73	0.00
10/11/17	11/20/17	758059652	Invoice			3,822.60	0.00
10/11/17	11/20/17	758059653	Invoice			4,874.85	0.00
10/11/17	11/20/17	758059654	Invoice			5,378.55	0.00
10/11/17	11/20/17	758059655	Invoice			4,200.38	0.00
10/11/17	11/20/17	758059656	Invoice			4,597.12	0.00
10/11/17	11/20/17	758059657	Invoice	4,800.67			4,800.67
10/11/17	11/20/17	758059658	Invoice	5,230.20			10,030.87
10/11/17	11/20/17	758059659	Invoice	4,602.30			14,633.17
10/11/17	10/11/17	758059660	Invoice		3,598.07	3,598.07	11,035.10
10/17/17	11/20/17	758059732	Invoice	5,675.25			16,710.35
10/17/17	11/20/17	758059733	Invoice	5,728.73			22,439.08
10/17/17	11/20/17	758059734	Invoice	2,439.15			24,878.23

PAYMENT IS DUE BY DATE STATED ON INVOICE

TOTAL BALANCE DUE: 24,878.23

13624

4



12/16/2017



REMIT TO  
P.O. Box 258  
Mt Angel OR 97362

**STATEMENT**

PAGE NO 1

503-845-6122 • 800-382-5339  
www.wilco.coop

CLOSING DATE: 11/30/17  
DUE DATE : 12/15/17  
ACCT: 435485

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OWRD

123574 0  
1/02/17  
JH  
64

1:25  
LOCATE\*\*\*  
VOICE \*  
\*\*\*\*\*

EXTENSION  
303.20 N

KAUER FAMILY FARMS LLC  
7145 SE AMITY DAYTON HWY  
AMITY OR 97101



DATE	REFERENCE	ST	C	DESCRIPTION	QUANTITY	EXT. TOTAL
				PREV BALANCE		636.78
11/ 2/17	123574	92	I	ORDR # 318792		303.20
11/ 9/17	D66885	95	P	PYMT-THANK YOU CK# 19449		-636.78
11/10/17	123867	92	I	D0000116717		6105.50
11/15/17	515604	1	I	INVOICE		97.16
11/17/17	515783	1	I	INVOICE		216.47
				NEW BALANCE		6722.33

*fuel - 6105.50*

PAGE NO 1

123867/0  
1/10/17  
JH  
64

1:58  
LOCATE\*\*\*  
VOICE \*  
\*\*\*\*\*

EXTENSION  
3,854.00  
2,498.50  
-47.00 NR

CURRENT	1-30 DAYS	31-60 DAYS	61-90 DAYS	OVER 90 DAYS
6722.33	0.00	0.00	0.00	0.00

TERMS: NET 15TH

*note: used a portable diesel pump  
because electric service was not functioning*

6152.50  
-47.00  
6105.50  
0.00  
6105.50

435485

A - Adjustment

Transaction Codes  
C - Credit

I - Invoice

KA

FILM 106 PAGE 1749



KNOW ALL MEN BY THESE PRESENTS, That R. M. ENGLE and RENA ENGLE,  
 husband and wife,  
 \_\_\_\_\_, grantor S.  
 in consideration of Ten and no/100 - - - - - Dollars,  
 to them paid by RAYMOND C. KAUER and BARBARA M. KAUER, husband and  
 wife,  
 \_\_\_\_\_, grantee S.,  
 do hereby grant, bargain, sell and convey unto the said grantee S., their heirs and assigns, all  
 the following real property, with the tenements, hereditaments and appurtenances, situated in the County  
 of Yamhill and State of Oregon, bounded and described as follows: to-wit:

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FEB 16 2021

OWRD

FILM 106 PAGE 1750

To Have and to Hold the above described and granted premises unto the said grantee S., their heirs and assigns forever.

And the grantor S. do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances, as of April 1, 1963, excepting easement shown in Book 117, Page 614, Deed Records also easement shown in 187, Page 149, Deed Records; also mortgage shown in Book 151, page 644 Mortgage Records,

and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hand S. and seal S. this          day of April, 19 63

R. M. Engle (SEAL)  
Rena Engle (SEAL)  
 \_\_\_\_\_ (SEAL)  
 \_\_\_\_\_ (SEAL)

STATE OF OREGON,

County of Yamhill

} ss.

On this          day of April, 19 63,

before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named R. M. ENGLE and RENA ENGLE, husband and wife,

who are

known to me to be the identical individual S. described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Kathryn S. Hansen  
 Notary Public for Oregon.

My commission expires Feb 16, 1965





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MAY 17 2018

FILM 106 PAGE 1750

OWRD

To Have and to Hold the above described and granted premises unto the said grantee.S., their heirs and assigns forever.

And the grantor.S. do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances, as of April 1, 1963, excepting easement shown in Book 117, Page 614, Deed Records also easement shown in 187, Page 149, Deed Records; also mortgage shown in Book 151, page 644 Mortgage Records, and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hand.S. and seal.S. this April 19, 63

R. M. Engle (SEAL)
Rena Engle (SEAL)
(SEAL)
(SEAL)

STATE OF OREGON,

County of Yamhill

ss.

On this April 19, 63,

before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named R. M. ENGLE and RENA ENGLE, husband and wife,

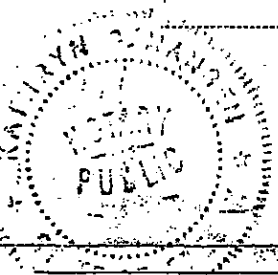
who are

known to me to be the identical individual.S. described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

[Signature]
Notary Public for Oregon.

My commission expires 6/27/63



WARRANTY DEED

R. M. ENGLE, et ux

36646

STATE OF OREGON,

County of Yamhill

ss.

I certify that the within instrument was received for record on the 17th day of May, 1963, at 10:06 o'clock A.M., and recorded in book 106 on page 1749 Record of Deeds of said County.

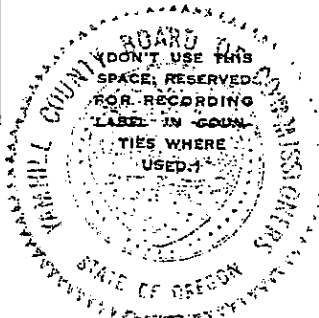
Witness my hand and seal of County affixed.

WANDA GATT, COUNTY CLERK

13624

County Clerk-Recorder.

By [Signature] Deputy.



DOCKET NO.

AFTER RECORDING RETURN TO

TO RAYMOND C. KAUER, et ux

1-1-74

WARRANTY DEED



KNOW ALL MEN BY THESE PRESENTS, That RENA ENGLE, widow of R.M. Engle, deceased,

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by BARBARA M. KAUER, as equal tenants in common and not as tenants by the entirety, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Yamhill and State of Oregon, described as follows, to-wit:

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PAYMENT G. KAUER and  
MAY 17 2021

OWRD

PARCEL 1. Commencing at the Southeast corner of the Richard Booth Donation Land Claim No. 57 in Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon; thence West on the South boundary of same, 23.50 chains to corner of said Booth DLC, and Cyrus B. Hawley Donation Land Claim #07; thence South 23° 30' East on the West boundary of said Cyrus B. Hawley's Claim, 34.11 chains to a point; thence South 45-1/2° West, 26.00 chains; thence North 23° 30' West 61.50 chains to the south fork of the Yamhill River; thence downstream with the meanders of said river to its intersection of the boundary line between the Donation Land Claim of said Booth and Hawley; thence South 17° 30' West on said boundary line to the place of beginning.

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PARCEL 2. Commencing at a point in the Jane Armstrong Donation Land Claim Nos. 72 and 61 in Townships 4 and 5 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, said point being described as situated 13.14 chains North and 57.31 chains East of the Quarter Section corner on line between Sections 3 and 4, Township 5 South, Range 4 West of the Willamette Meridian; thence North 23° 30' West, 67.50 chains to the South Fork of the Yamhill River; thence downstream with the meanders of said river to a point being the Northwest corner of Parcel #1 as described above; thence South 23° 30' East, 61.50 chains to the Southwest corner of said Parcel #1 as described above; thence South 45° 30' West 24.00 chains to the place of beginning.

PARCEL 3. Commencing on the East boundary line of the Donation Land Claim of Henry Hyde Nos. 64 and 39 in Townships 4 and 5 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, South 18° 30' East, 4.30 chains from the Northeast corner of said Donation Land Claim; thence North 18° 30' West 4.30 chains to the Northeast corner of said Donation Land Claim; thence North 87° 30' West on the North boundary of same, 4.50 chains; thence North 7.00 chains to the South boundary of Ephraim Ford's Donation Land Claim; thence East 23.70 chains to the Southeast corner of said claim; thence North 12° West, 18 chains to the South fork of the Yamhill River, thence with the meanders of said river downstream to a point being the Northwest corner of Parcel #2 as described above; thence South 23° 30' East, 34.75 chains, thence West 58.00 chains to the place of beginning.

EXCEPT that portion thereof included within the boundaries of Lot 8 of Section 33, Township 4 South, Range 4 West of the Willamette Meridian.

PARCEL 4. Beginning at a point on the East boundary of Henry Hyde's Donation Land Claim Nos. 64 and 39 in Townships 4 and 5 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon at a point South 18° 30' East 4.30 chains from the Northeast corner of said claim; thence South 18° 30' East, 19.00 chains; thence East 59.45 chains to the West boundary of Lot 2 as described above; thence North 23° 30' West 19.56 chains; thence West 58 chains to the place of beginning.

PARCEL 5. Commencing at a point on the East boundary of Henry Hyde's Donation Land Claim Nos. 64 and 39 in Townships 4 and 5 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, 8.00 chains North 16° West from the Quarter Section corner on line between Sections 3 and 4, Township 5 South, Range 4 West of the Willamette Meridian; thence North 84° 30' East, 60.00 chains to the southwest corner of Lot 2 as described above; thence North 23° 30' West 13.10 chains; thence West 59.45 chains to the East boundary line of said Hyde's Donation Land Claim; thence South 18° 30' East, 5.30 chains; thence South 16° East 13.60 chains to the place of beginning.

SAVING AND EXCEPTING...



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MAY 17 2018

as hereinabove limited,

OWRD

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances as of April 1, 1963, subject to mortgage to Federal Land Bank of Spokane, recorded in Book 151, Page 644, Yamhill County Mortgage Records, which mortgage and balance thereon grantees assume and agree to pay,

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 130,000.00

However, the actual consideration consists of or includes either property or value given or promised which is the whole consideration (indicate which) The language between the symbols & if not applicable, should be deleted: See ORS 92.030

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 26 day of February, 1975; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

Rena Engle  
Rena Engle

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FEB 16 2021

STATE OF OREGON, )  
County of Yamhill ) ss.  
26, February, 1975

STATE OF OREGON, County of \_\_\_\_\_, 19\_\_\_\_

Personally appeared the above named  
RENA ENGLE,

Personally appeared \_\_\_\_\_ and  
who, being duly sworn,  
each for himself and not one for the other, did say that the former is the  
\_\_\_\_\_ president and that the latter is the  
\_\_\_\_\_ secretary of \_\_\_\_\_

and acknowledged the foregoing instrument to be her voluntary act and deed.

\_\_\_\_\_, a corporation,  
and that the seal affixed to the foregoing instrument is the corporate seal  
of said corporation and that said instrument was signed and sealed in  
behalf of said corporation by authority of its board of directors; and each of  
them acknowledged said instrument to be its voluntary act and deed.

Before me  
(OFFICIAL SEAL) James H. Starnard  
Notary Public for Oregon  
My commission expires Aug 4, 1975

Before me:  
(OFFICIAL SEAL)  
Notary Public for Oregon  
My commission expires:

RENA ENGLE  
GRANTOR'S NAME AND ADDRESS  
RAYMOND C. & BARBARA H. KAUER  
Rt. 1, Box 372  
Amity, Oregon 97101  
GRANTEE'S NAME AND ADDRESS  
After recording return to:  
RAYMOND C. & BARBARA H. KAUER  
Rt. 1, Box 372  
Amity, Oregon 97101  
NAME, ADDRESS, ZIP  
Until a change is requested all tax statements shall be sent to the following address.  
RAYMOND C. & BARBARA H. KAUER  
Rt. 1, Box 372  
Amity, Oregon 97101  
NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, )  
County of \_\_\_\_\_ ) ss.

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book \_\_\_\_\_ on page \_\_\_\_\_ or as file/reel number \_\_\_\_\_, Record of Deeds of said county.

Witness my hand and seal of County affixed.

13624  
Recording Officer  
By \_\_\_\_\_ Deputy



Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Temporary Changes to Water Right Certificate # 40065**

List only the part of the right that will be changed. For the acreage in each 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)											
The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
<b>EXAMPLE</b>																					
2	S	9	NE	100		15.0	Irrigation	POD #1 POD #2	1901	2	S	9	E	1	NW	NW	500	1	10.0	POD #5	1901
"	"	"	"	"	"	"	EXAMPLE	"	"	2	S	9	E	2	SW	NW	500		5.0	POD #6	1901
TOTAL ACRES										TOTAL ACRES											

Additional remarks: \_\_\_\_\_

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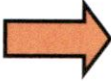
FEB 16 2021



**For Place of Use Changes**

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands?  Yes  No

If YES, list the certificate, water use permit, or ground water registration numbers: \_\_\_\_\_



Pursuant to ORS 540.525, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

**If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:**

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department’s web page at: [http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx))

**AND/OR**

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right

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FEB 16 2021